

Introduction

As a dependent of a military member, or a civilian here at Yokota, we understand a home enterprise is a vital part to the family's mental, financial, and personal well-being. The opportunities to explore hobbies, increase personal income, and occupy time is an important part of our lives.

This brochure will provide some basic information about what legal looks at when determining the legality of a home enterprise application

Legal Assistance Hours:
By Appointment Only

Notary Hours:
Monday -Thursday
0900-1500



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HOME ENTERPRISE

This Brochure Includes:

- What does legal look at when determining a home enterprise application?



The information in this brochure is of a general nature and is not intended as a substitute for legal counsel.

Last updated October 2014

New Rule

We have had a recent change to the rules that govern home enterprises. Unfortunately, it is a rule that is more restrictive on what options are available for our military dependents and civilians who live on base. Specifically, food enterprise endeavors have been severely restricted. Under the new AFMAN guidelines, any FOOD ESTABLISHMENT run in the privacy of one's home is now prohibited. That means that the baked goods, chef, and other food operations that have been approved in years past will no longer be approved starting in October, 2014.

What else does legal look at?

The involvement of the legal office in the home enterprise application is actually quite limited. When the application comes to our office we look at the proposed home enterprise and what the enterprise's goals are. We compare the proposed enterprise with the regulations in the AFMAN and the AFI (two regulations that control how home enterprises may be established).

The Checklist

Legal, primarily, looks at five things to determine whether a home enterprise application is legally sufficient.

1. First, we look at whether you live on base. If you live off base home enterprise applications are not governed by DOD or Air Force Regulations. Therefore, the legal office is not involved at all in that process.
2. Second, we look at whether the enterprise proposed is one of a "normal domestic setting." How is this defined? Well, it's actually pretty simple. Clearly, running a fast food operation out of your home is not normal for a domestic setting. Same with running a barber shop. The official definition is "sales or services that are customarily conducted in a domestic setting and do not compete with an installation's officially sanctioned commerce."
3. Next, we look at whether the proposed enterprise involves the direct sale of products, minor repair service on small items, incidental services, tutoring, or limited manufacture of items. These are the types of enterprises allowed. However, this is still subject to the next requirement.
4. No home enterprise can compete with AAFES or MWR resale operations. Simply speaking, if AAFES sells Godiva chocolates, a home enterprise cannot sell the same chocolate. If AAFES offers barber shop operations, then a home enterprise cannot offer to cut hair or run a salon. This is a requirement that can disqualify a lot of proposed home enterprises. This is also the reason why all home enterprise applications must run through AAFES as well prior to approval.
5. Finally, the last item on our checklist is whether the proposed enterprise is to run a food establishment operation. As explained on the previous page, this is a new regulation that is just starting to take effect here at Yokota.

You're legally sufficient!

Assuming you have satisfied our five step checklist, your home enterprise application will be deemed legally sufficient by our office and continue on its way to becoming fully approved!